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VIA ECF AND HAND DELIVERY

Hon. George B. Daniels
United States District Judge
United States District Court
for the Southern District of New York
500 Pearl Street
New York, New York 10007-1312

Re: *Sokolow, et al. v. Palestinian Liberation Organization, et al.*
Docket No. 04-CV-397 (GBD)(RLE)

Dear Judge Daniels:

Plaintiffs respectfully request admission of two categories of documents: (1) police magazines that were published by the PA and distributed to its police and security forces; and (2) a Fatah Circular distributed one week before the January 8, 2001 shooting attack.

1. Police Magazines

Exhibits 175, 176, 177, 178, 179, 198, 199, 200, 201, 202, 203, 204, 935, 936, 937, 949, 964, 965, and 966 are magazines prepared and published by the PA's Institute for Political and Moral Guidance. Expert testimony and supporting documents will show that the Institute for Political and Moral Guidance was responsible for the education of PA security forces in the spirit of discipline and loyalty.

The exhibits contain excerpts from the exact time period in issue in this case, from four magazines: *Al Shurta* ("the Police") was distributed among the rank and file of PA police. *Al Shuhada* ("The Martyrs") was published for the PA's Border-Region Forces. *Humat al-Areen* ("Protectors of the Lion's Den") was distributed to members of Force 17, the PA's presidential security detail. *Watani* ("My Fatherland") was circulated to the Palestinian Army.

Each magazine contains statements that are highly relevant to plaintiffs' vicarious liability and material support claims. The magazines are powerful evidence of three ultimate facts. *First*, the PA's security personnel would have reasonably believed that they were furthering the interests of their employer by attacking civilians in service of the

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political goals articulated by their employer in these magazines. *Second*, it was reasonably foreseeable to the PA that its security personnel would commit violent and dangerous criminal acts against Israeli civilians. *Finally*, these magazines will put the lie to the canard that defendants were trying to “tamp down” the violence.

The following examples include explicit instructions such as “liquidating” or “destroying” or “killing” or “exterminating” or “eradicating” or “slaughtering” Jews and “continuing” the Al-Aqsa Intifada. In addition, they include statements that can only be understood as whipping up anti-Jewish and anti-Israeli hatred among the security forces.

What better evidence could there be of what was expected of security employees than monthly “guidance” distributed for the “education” of these employees? The following are examples of the PA’s “political guidance”:

- “[T]he world cannot be saved except by liquidating the Jews, banishing them to a remote location where they are prohibited from communicating with others . . .” Ex. 201.
- “[T]hey are like a chronic parasitic disease, latent within an organ, and from which there is no escape through cutting out some or all of the organ, or destroying its function.” Ex. 201.
- “According to Abu Haraira, the Messenger of God said, ‘The [last] hour shall not come until the Muslims fight the Jews, and the Muslims kill them; and until the Jew hides behind the tree and the stone, and the stone or tree says, ‘Oh Muslim, oh servant of God, this Jew is behind me, and so come and kill him’ . . .’ Ex. 202.
- “The Messenger of God [Muhammad] taught us, in practical terms, how we should deal with Jews, through his pure life story and his triumphant path. He treated them as citizens on paper . . . until enmity and abrogation of covenants and agreements began, on their part, and he was resolute with them, and he eradicated them from Medina, by the roots. He plucked out their thorns and stripped them of their weapon[s] . . .” Ex. 202.
- “The goals of worldwide Jewry came together with the hidden desires on the part of the majority of the leaders of the old colonialism, and their

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encouragement towards the planting of an alien cancerous mass in this region” Ex. 202.

- “To the sheep who rule the regions of the lost Arab homeland goes [our] respect . . . It has now become necessary that you be slaughtered, because you are useless and have no horns, your teats have dried up, your wool is full of impurities, you eat a lot, no benefit has gotten from you, and you have a rotten odor. What warrants your continued existence up to this, our day?!!” Ex. 204.
- “[O]ur Palestinian people are carrying on the illustrious intifada, the blessed al-Aqsa Intifada, for the third month without interruption, offering convoys of martyrs and sacrificing what is most precious in order to realize its legitimate hopes of ending the Israeli occupation I salute you and congratulate you for the spirit of national allegiance and duty that constantly animates you” Yasser Arafat to Chief of Police. Ex. 175.
- “[T]his abominable Zionist enemy understands only the language of force We are the people of 100,000 martyrs, the people of 100,000 wounded, and the people of 100,000 prisoners, over the course of long years of struggle. We are the legacy of the martyrs, and we are the ones who will complete their triumphant path to victory, for Jerusalem is ours” Gen. Ghazi al-Jabali, Chief of Police. Ex. 964.
- “You are the sickness in the body of this community, there is no cure for you but extermination, and no remedy for your necks twisted with pomposity and deception except to cut them with the sword of truth.” Ex. 204.
- “For this reason, we today wage war in an advancing position; we wage war with the occupation; and we wage war with the Zionist state’s terrorism against our people, continuing in our Intifada.” Ex. 198.
- “They are becoming martyrs as a sacrifice for the Palestinian dream, and in compliance with the call of Al Aqsa. . . .” Ex. 198.
- “The European nations and the U.S., who have strategic interests in the region, are called upon to see the necessity of urgent and immediate action to

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stop Israeli practices against the Palestinian people. Without this, their vital interests shall be directly jeopardized, and this shall redound adversely on their people and communities” Ex. 175.

- “[W]e are walking on the edge of the sword, meaning that we are always on the verge of martyrdom and this is the nature of the events and the reality of the situation” Ex. 178.
- “Long live our heroic Palestinian people, who grab the small stone, constantly striving towards everlasting pride and glory.
And may the eyes of the coward never sleep.” Ex. 199.
- “[F]or the Jewish people, since it manifested, has been a parasite upon those communities surrounding it” Ex. 177.
- “Our battle is continuing and requires the nation’s toughness and wisdom, requires the sword and conscience at the same time, and requires politics and resistance.” Ex. 179.
- “[W]e must continue in the struggle, without relaxation, armed with complete faith in God and national unity, so that God’s promise may be realized, and we may enter the mosque just as the believers entered it for the first time; and so that we may completely destroy that, of ours, which they have taken over, for God does not break his promise. . . .” Ex. 199.
- “[A]ll efforts by Palestinian forces should be turned towards inflaming the popular Intifada until the image of the infamous child who challenges Israeli tanks with stones appears, for this images evokes Arab and Muslim sympathy, and [of] the free world, and moves it . . . [to] needed additional U.S. and European pressure on Israel” Ex. 200.
- “[T]he Palestinian people reject the yellow policy of the U.S. and its leader Bush, and our people shall continue the popular struggle until achievement of the sought-after and historical goal, . . . which we have taken on through waterfalls of blood that Palestinian people have offered up on a daily basis” Ex. 200.

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- “Since the first bullet was fired in our great revolution, the sharp, leading opinions of a revolutionary perspective have belonged to the iconic leader brother Abu Ammar at all intervals . . . at all times . . .” Ex. 936.
- “If you dove into the world’s seas . . . all seven . . . we would dive in behind you even if blood formed . . . the waves against the boat of sacrifice!” Ex. 936.
- “The Jews do not harbor affection for one another, and do not cooperate . . . When they have felt a sense of security, latent evil has taken over their deformed innermost beings, their hearts have been taken over by putrid blood, and hostility and hatreds have been stirred up among them.” Ex. 203.
- “If our lawful rights are not addressed, with all that this entails . . . then the battle shall be hard, and the Israeli and Palestinian peoples shall pay its price exorbitantly . . . Even around the negotiating table, we shall back our delegation, support our leader, and declare our preparedness to be martyrdom projects and forearms of building—building of the future state.” Ex. 935.
- “I call to you . . . I grasp your hand . . . I kiss the ground beneath your feet . . . We say: we will sacrifice for you!” Ex. 936
- “The enduring and faithful position that President Abu ‘Ammar [Yasser Arafat] embodied during the Camp David negotiations affirms that there is no room for doubt but that the conflict shall not be ended, and shall remain wide open, by all means and methods, until the minimum aspirations of our patient people, who are anchored to the eternal soil of Palestine are realized.” Ex. 949.
- “[T]he Palestinian people have refused to capitulate or relent, and they have resisted—by word, demonstration, and intifada—offering up tens of thousands of martyrs...” Ex. 949.
- “[Israeli] soldiers then crowded around him and rained bullets down on to his body. The [Israeli] soldiers were as far as possible from any image of human beings. They were like a pack of wolves quite needing the smell of blood,

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and ripping apart their prey in a repugnant, animalistic manner. And the Israeli soldiers were not satisfied with this, for they dragged the martyred youth through the streets, mutilated his body, and then hurried back to the settlers, who were waiting for them, so that they could all celebrate together, as in the Satan-worship celebrations of bygone days.” Ex. 176.

- “[F]or in no time, our Palestinian people have sprung into motion in all the regions of the West Bank, Gaza, and the area within the so-called Green Line [Israel], to defend the land and the holy places. This has fashioned a marvelous picture embroidered with the blood of our martyrs and the wounds of our heroes in Nablus, Tulkarem, Jerusalm, Qalqilya, Hebron, Janin, Ramallah, Gaza, Khan Yunis, Rafah, Umm Al-Fahm, Wadi ‘Ara, Yafa Al-Nasirah, Rahnat, and the rest of the regions where our Palestinian population is present, domestically and abroad.” Ex. 965.
- “[W]e cannot but bow reverentially and respectfully to our heroic martyrs who have watered the soil of our beloved nation with their pure blood . . . in order to prove to the whole world that our Palestinian land is our right, and that blood is a small price to pay on the path to liberating and defending it.” Ex. 965.
- “Our righteous martyrs . . . our brave wounded: To you goes the glory . . . to you goes immortality.” Ex. 965.
- “Israel has received a lesson written by us in blood and in our brothers’ and sisters’ body parts and blood: it is that Jerusalem is a red line that cannot be dismissed.” Ex. 966.

These statements surely make it more likely that killing Israeli civilians was within the scope of employment of the armed PA security employees for whose benefit these were published by the PA itself.

2. Fatah Circular

Plaintiffs also respectfully request admission of Exhibit 185, which is a circular that reflects the official positions and policies of the Fatah movement. Other evidence will show that Fatah was the alter-ego of the PA and the PLO. (Yasser Arafat was the

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Chairman of the PLO, the President of the PA, and the Commander of Fatah; Fatah's budget was entirely in the control of the PA; and Fatah and the PA had extensive overlap in senior leadership.)

The Fatah circular distributed exactly one week before the January 8, 2001 attack again goes to the scope of employment and the defendants' policies. It says:

- “From the muzzle of your guns genuine peace will swoop into the sad and suffering land . . . If they want to negotiate, let them negotiate with the sound of your intifada . . . If they ask you about that cloud soaked with blood and rain pouring without interruption, the storms from Fatah and the martyrs, booming loudly, say . . . there is no turning back . . . Great Palestine will not be the tiny warden of Tel Aviv's beaches.” Ex. 185.
- “Oh combatants, our martyrs are nobler than all of us... They have made the dream a reality... Keep a firm grip on the trigger and on the stones... Be patient... Those killers will retreat and will depart from our country just like they departed from Southern Lebanon. Otherwise, they will not enjoy security, peace and stability... Let your blows intensify and let the intifada continue....” Ex. 185.

Respectfully,



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cc: All ECF Counsel